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Agenda item 126 (c)

PERSONNEL QUESTIONS: OTHER PERSONNEL QUESTIONS

Administration of justice in the Secretariat

Report of the Secretary-General

INTRODUCTION

1. At its forty-fourth session, the General Assembly considered the report of the Secretary-General on the administration of justice in the Secretariat (A/C.5/44/9). On 19 December 1989, the Assembly adopted resolution 44/185 B, in which it noted the importance of a just and efficient internal justice system in the Secretariat. The Assembly welcomed the further improvements in the internal justice system and the progress achieved during 1989, including the reduction of the backlog of pending cases of the Headquarters Joint Appeals Board (JAB), largely due to the introduction of procedural improvements, and the completion of work on the revision of disciplinary rules. The Assembly endorsed the report of the Secretary-General on the administration of justice in the Secretariat and requested the Secretary-General to proceed without delay with the promulgation of the revised set of disciplinary rules, effective 1 January 1990, and to report to the Assembly at its forty-fifth session on the operation of the new system. It also requested the Secretary-General to continue with the reforms in the administration of justice in the Secretariat, in particular with regard to improving the informal procedures for amicable settlements of staff grievances, and to report thereon to the Assembly at its forty-fifth session.

2. The main elements of the reform programme begun in 1987 have now been put in place leading to a major enhancement in the efficiency and effectiveness of the system of administration of internal justice. Efforts are now directed principally at ensuring continuation of a smooth operation of the formal mechanisms of the system. In the area of informal procedures for the settlement of grievances, a new approach is being explored with a view to increasing its effectiveness in this area.

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I. AREA OF APPEALS

3. Following the streamlining of the appellate machinery and its procedures carried out in 1988 and its consolidation in 1989, efforts have been made towards ensuring the smooth operation of the streamlined system and the optimum utilization of the limited resources available, thus avoiding another backlog.

4. During the period under review the Office of the Under-Secretary-General for Administration and Management, which has direct responsibility for the administration of justice, has worked in close co-ordination with the Office of Human Resources Management, the Office of Programme Planning, Budget and Finance and the Office of Legal Affairs. The success in maintaining a well-functioning internal justice system has come about through the continued joint efforts of these offices and through the continued voluntary assistance of many staff who have participated as chairmen or members of boards or as counsel. The task was, however, made more difficult by an increase in the number of new appeals. Part of the increase was due to the reduction of posts, which has limited career opportunities for staff, leading to a number of appeals relating to selection for placement against higher-level posts.

5. The number of requests for review of administrative decisions, as a first step in the appeals process, was 244 during the period 1 January to 30 September 1990. This represented a substantial increase over the previous four years, wherein the annual average had been 155. During the first nine months of 1990, 33 cases were settled at the review stage or were referred to another body. Of the remaining cases, many were withdrawn or abandoned by the staff after advice by the Administration, so that only about one third of the requests for review have resulted in appeals. The policy of the Secretary-General is to seek to resolve as many cases as possible at the preliminary stages. Resolution is often achieved by ensuring a substantive review followed by a full explanation to the aggrieved staff member of why a particular decision was taken. Pressure on the Administrative Review Unit to conduct such substantive reviews has, therefore, been particularly heavy during 1990 owing to the increased number of cases.

6. The number of cases pending before the Headquarters JAB remained near its record low of about 30 cases and all appeals from previous years, except for 4 cases from 1989, have been disposed of. During the first nine months of 1990 the Headquarters JAB received 53 new appeals and disposed of 51 cases, 36 by report and 15 by settlement, withdrawal or abandonment. On average, an appeal is completed within six months, compared with over two years prior to the implementation of the reform programme.

7. Thus, the procedural improvements that have been made over the last two years continue to have a positive impact on the functioning of the Headquarters JAB, ensuring the expeditious consideration of cases. In 1990, it reviewed its internal rules of procedure and is in the process of adopting revised internal rules, further streamlining its operation and providing additional safeguards of due process. Provision has been made for the selection of its presiding officer as well as for the constitution of panels on the basis of maximum possible rotation pursuant to the relevant staff rules.

8. The appeals process of JABs at Vienna and Nairobi has been further improved and for the first time no cases are pending there. In 1990, however, a considerable number of new appeals were filed with JAB at Geneva. The majority relate to the current retrenchment at the Office of the United Nations High Commissioner for Refugees (UNHCR), where a large number of staff have had to be separated. Measures are now being taken to streamline the procedures of JAB at Geneva in a manner similar to those adopted by the Headquarters JAB, and to strengthen its secretariat. UNHCR has been requested to provide resources to JAB at Geneva to expedite the disposal of cases there.

9. The Secretary-General's policy of accepting unanimous JAB recommendations, except where a major question of law or principle is involved, continues to be applied. During the first nine months of 1990, the Secretary-General took decisions on some 59 reports from Boards at Headquarters, Geneva, Vienna and Nairobi. In 48 cases, the Secretary-General accepted the JAB recommendations in full; in 6 cases he accepted them in part; and in 5 cases he rejected the JAB recommendations. In 24 cases, the Board decided that it was not competent to address the matter before it on the grounds that it was beyond its mandate, or that the appeal was time-barred and not receivable under the relevant staff rules. In such cases the Secretary-General took note of the JAB reports. It should be noted that the number of the Secretary-General's final decisions on appeals is expected to increase substantially from 55 in 1989 to 75 in 1990 despite a significant reduction of resources. Furthermore, the Secretary-General's policy of taking a final decision on JAB recommendations within a period of one week, on average, continues to be applied, thus ensuring the speedy disposition of cases.

10. As a result of the streamlining of the appeals process, it was possible to reduce the resources required for the internal justice system in 1990. The appointment of a full-time presiding officer of the Headquarters JAB at the D-1 level was discontinued, effective 31 March 1990, and the task force of retired senior officials assisting the Headquarters JAB was reduced following the elimination of the backlog of cases. It also became possible once more to consolidate the secretariats of the Headquarters JAB and the Headquarters Joint Disciplinary Committee (JDC) into one, with effect from 1 October 1990. The question of additional resources to ensure the smooth working of the Administrative Review Unit is now, however, under active consideration.

II. DISCIPLINARY PROCESS

11. Pursuant to the request of the General Assembly in its resolution 44/185 B, a fully revised set of disciplinary rules replacing chapter X of the Staff Rules was promulgated, effective 1 January 1990. In view of the fact that only a few cases have arisen, it is too early to assess the impact of the new disciplinary rules and to report at this stage on the operation of the new system. As envisaged in staff rule 110.7 (c), internal rules of procedure for Joint Disciplinary Committees are in the process of being drafted.

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III. PANEL OF COUNSEL

12. The Panel of Counsel has continued, on a volunteer basis, to assist staff members in providing advice with regard to staff grievances and disputes, as well as in representing them before JAB, JDC and the Administrative Tribunal.

13. During the first nine months of 1990, the Co-ordinator of the Headquarters Panel of Counsel received 169 cases. More than half have so far been settled amicably through the intervention of the Co-ordinator or the members of the Panel of Counsel, thus avoiding formal litigation.

IV. GRIEVANCE AND CONCILIATION PANELS

14. In accordance with paragraph 7 of General Assembly resolution 31/26 of 29 November 1976, the Secretary-General established panels to investigate allegations of discriminatory treatment at Headquarters (ST/AI/246), as well as for the United Nations Office at Geneva, the United Nations Office at Vienna, the United Nations Conference on Trade and Development (UNCTAD), the United Nations Environment Programme (UNEP), the Economic Commission for Africa (ECA), the Economic Commission for Europe (ECE), the Economic Commission for Latin America and the Caribbean (ECLAC), the Economic and Social Commission for Asia and the Pacific (ESCAP), the Economic and Social Commission for Western Asia (ESCWA), the United Nations Centre for Human Settlements (Habitat) and the Office of the United Nations Disaster Relief Co-ordinator (UNDRO) (ST/AI/246/Add.1).

15. This informal procedure was designed to supplement the formal recourse procedures, namely JAB, the specialized appeals bodies and the Administrative Tribunal. Staff members may sometimes find such an informal device preferable in that it can achieve an amicable settlement more easily than through formal litigation.

16. Since their establishment, the panels have handled about 100 cases a year, apart from informal advice given to staff members whose complaint did not, in the opinion of the Panel, constitute a grievance that required investigation and/or further action. The most recent report on the work of the panels on discrimination and other grievances (ST/IC/1990/28) indicates that during the period under review 58 cases were handled by the Headquarters Panel, including 11 from agencies or duty stations away from Headquarters.

17. In the opinion of the Secretary-General, problems should, if at all possible, be resolved quickly, where they arise, and without their becoming formalized. Thus, following the successful experience of one department that established a departmental conciliation panel, similar panels are now being established in other departments on an experimental basis. Should this decentralized approach be successful, such panels could eventually replace the Secretariat bodies on discrimination and other grievances.

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PERSONNEL QUESTIONS: OTHER PERSONNEL QUESTIONS

Secondment from government service

Report of the Secretary-General

1. The present report describes certain recent developments relating to the practice of secondment to the Secretariat from government service and sets out the Secretary-General's views on its evolution.

2. Secondment is the practice by which an official is posted away from his or her service to another service for a specified period under defined terms and conditions, on the understanding that, at the end of the period, he or she will return to his or her service of origin. It has been used by international organizations since the League of Nations, both in the case of inter-agency transfers and with regard to arrangements with Member States. Approximately 500 Secretariat staff members in the Professional category and above are currently serving with the United Nations on secondment from their Governments. This figure includes staff members of 51 different nationalities. However, as at July 1990 7 Member States had approximately 430 nationals on secondment.

3. The practice of secondment is acknowledged in staff rules 101.5 and 104.12, as well as in various General Assembly resolutions, in particular General Assembly resolution 35/210 I, paragraph 4 of which requested the Secretary-General to continue to permit replacement by candidates of the same nationality within a reasonable time-frame in respect of posts held by staff members on fixed-term contracts, wherever that was necessary to ensure that the representation of Member States whose nationals served primarily on fixed-term contracts was not adversely affected.

4. When a candidate is to be recruited on secondment from his or her government service, an offer of appointment for a fixed-period is made in writing, indicating, among the conditions of employment, the secondment status. Concurrently, a

communication requesting the release of the prospective staff member is addressed to the Government concerned. The staff member's acknowledgement of secondment status is evidenced by his or her written acceptance of the offer of appointment, and later by the signing of a Letter of Appointment that also incorporates an indication that his or her service with the Organization will be on secondment from the Government of the State concerned. The concurrence of the Government is attested to by its written agreement to the request for release.

5. Thus, the practice of secondment has been used to obtain the services of persons employed by other organizations or by national Governments without severing their legal relationship with the releasing organization or Government. In the case of secondment from government service, it has been used mostly in respect of nationals of Member States that have required that their nationals, or a large proportion of them, serve on fixed-term appointments for varying periods, after which they return to the service of their Government. Secondment can provide a means of obtaining staff who are already skilled and experienced in areas of particular interest to the Organization and can benefit the United Nations by returning to Governments and other agencies personnel who have direct experience of its purposes, procedures and capabilities. It can also help to maintain an appropriate balance between fixed-term and career appointments by facilitating the temporary employment of staff without prejudicing their prospects in the releasing agency. On the other hand, secondment can have disadvantages, in certain circumstances, from the standpoint of the Organization's management and performance. It can make it more difficult to allow for the career development - in their own interests and also those of the Organization - of seconded staff members of particular ability. As a matter of practice, it becomes almost inevitable that staff who are known to be with the Secretariat for only a brief period of time may undergo certain disadvantages as regards career development in comparison to those whose careers are known to be fully committed to the Organization. This can create problems of morale. Widespread secondment has also led to a tendency to earmark particular posts for the staff of certain nationalities, thus impeding mobility and promotion prospects for all staff, including those on secondment. There are certain circumstances in which it might undermine the impression of a truly independent international civil service. Additionally, the frequent rotation of a large number of staff members involves the Organization in substantial costs relating to recruitment and repatriation. In short, while secondment, practised on a limited scale, can be beneficial to the international civil service, it could, under certain circumstances, undermine the achievement of the Secretary-General's resolve to enhance the independence and efficiency of the Secretariat in accordance with the provisions of the Charter of the United Nations.

6. The Secretary-General's related obligations under the Charter are contained in Articles 97, 100 (para. 1) and 101 (paras. 1 and 3). Article 97 provides that the Secretariat shall comprise such staff as the Organization may require and that the Secretary-General shall be the chief administrative officer of the Organization. Article 100, paragraph 1, provides that in the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any Government or from any other authority external to the Organization. Article 101, paragraph 1, provides that the staff shall be appointed by the Secretary-General

under regulations established by the General Assembly. Paragraph 3 provides that the paramount consideration in the employment of staff shall be the necessity of securing the highest standards of efficiency, competence and integrity and that due regard shall be paid to the importance of recruiting staff on as wide a geographical basis as possible. The importance of ensuring an equitable geographical distribution of posts has been repeatedly stressed by the General Assembly in its resolutions on personnel questions.

7. The following provisions of the Staff Regulations should also be noted. Staff regulation 4.1 provides that the power of appointment of staff rests with the Secretary-General. Staff regulation 4.2 repeats the provisions of Article 101, paragraph 3, of the Charter and extends these provisions to the promotion and transfer of staff. Regulation 4.4 provides that, subject to Article 101, paragraph 3, of the Charter, and without prejudice to the recruitment of fresh talent at all levels, the fullest regard shall be had, in filling vacancies, to the requisite qualifications and experience of persons already in the service of the United Nations.

8. The Administrative Tribunal of the United Nations has on a number of occasions reviewed aspects of the practice of secondment. In a recent judgement (No. 482 - Qui et al.), given on 25 May 1990, the Tribunal held that the contractual arrangements to which the applicants were parties had not been genuine secondment, because these arrangements did not comply with all detailed formal requirements based on procedures for common system inter-agency secondment which, the Tribunal held, were requisite to secondment status. The Applicants' status had not been defined in writing by the competent authorities in documents specifying the conditions, and particularly the duration, of the secondment. In particular, the arrangements did not meet the essential criterion implied in the term "secondment", i.e. "that the staff member is posted away from his establishment of origin but has the right to revert to employment in that establishment at the end of the period of secondment and retains his right to promotion and to retirement benefits" - as enunciated in Judgement No. 92, Higgins (1964).

9. It thus follows from the judgement that, when the Secretary-General had, routinely and in good faith, assuming that the applicants were indeed on secondment, approached the authorities of the Government concerned for its views regarding the extension of their fixed-term appointments on secondment, he had unwittingly acted in violation of Article 100 of the Charter by permitting the negative view of the Government to influence his decision not to grant them renewal of their fixed-term appointments. It was only in cases of secondment, as defined by the Tribunal, that the Secretary-General could validly have taken such a decision on this basis.

10. The Tribunal held that Article 100 of the Charter had also been violated by the refusal to grant the Applicants career appointments after they had completed five years' service. The Tribunal recognized that the Secretary-General could consult with a Member State concerning the granting of a career appointment but did not accept as convincing the reasons that the Secretary-General had given for his decisions. In making these findings, the Tribunal started from the assumption that General Assembly resolution 37/126 of 17 December 1982 required that reasonable

consideration for permanent appointments must be given to staff with five or more years of continuing good service on fixed-term appointments.

11. The Tribunal accordingly found that the Applicants were wrongly denied both new fixed-term appointments and career appointments and therefore ordered that they be granted career appointments from 1 February 1990 or be paid three years net base salary in lieu of such reinstatement. Having regard to all relevant factors, the Secretary-General decided to reinstate the Applicants, and this has now been done.

12. The Tribunal's judgement has effects in three areas of Secretariat practice. First, it affects the formalities required for the creation of a valid secondment by emphasizing the need always to follow the practice that the Secretariat had used in inter-agency secondments, namely, to go through complex written agreements between the Government, the United Nations and the staff member concerned rather than, as had previously been the practice, an exchange of correspondence and notation of secondment in the Letter of Appointment. Secondly, it has the result that all staff, including those on secondment, are entitled to the benefit of resolution 37/126, even if they have not ended their ties to their Government. As a consequence of the ruling of the Tribunal, all staff, including staff on secondment, must receive every reasonable consideration for a career appointment and this consideration for a career appointment must be given after five years of continuing good service. Thirdly, the Tribunal gave a very restrictive interpretation to the factors that the Secretary-General could have in mind when giving such consideration for career appointments.

13. While, therefore, the most recent Tribunal judgement maintains the institution of secondment, it requires a review by the Organization of its secondment procedures. It would seem desirable, to avoid uncertainty as to the status of staff on secondment, that the basis of these new procedures be established by amending the Staff Regulations to provide that secondment can be created by a notation to that effect on the letter of appointment signed by the staff member. The Secretary-General would subsequently implement procedures for reaching agreement with Governments and their nationals as to the precise condition of each secondment. The new procedures would ensure that all parties to the agreement were left in no doubt about the nature of the individual contract, thus ensuring that the Secretary-General's understanding in regard to a secondment, which he has decided would be in the interests of the Organization, is beyond question.

14. The Tribunal judgement means, moreover, that many staff members on fixed-term contracts, formerly thought to be on secondment, would in fact not be in that status, because the arrangements do not comply with the criteria as clarified by the Tribunal. Such persons would instead be on fixed-term contracts to which no special conditions are attached, subject to the standard principles of renewal or non-renewal as set out in the Staff Regulations and Rules.

15. The judgement also indicates that all staff members, including those on secondment, are entitled to every reasonable consideration for career appointment after five or more years of continuing good service in accordance with resolution 37/126. It will thus mean that the Secretariat will have to consider, in respect of any staff member who comes within the ambit of resolution 37/126, whether a

career appointment should be granted. In deciding whether to grant such appointment, the Secretary-General will consider all the interests of the Organization. These interests are defined primarily by the terms of the Charter, as described in paragraph 6 above. In giving consideration to such a matter, particular attention will be paid to the requirement in Article 101, paragraph 3, that: "The paramount consideration in the employment of the staff ... shall be the necessity of securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting staff on as wide a geographical basis as possible." In this connection, the Secretary-General will also be guided by the necessity of ensuring an adequate turnover of personnel in the interest of the Organization's performance in its various fields of activity. The Secretary-General is especially mindful of the major challenges that lie ahead for the Organization in the coming years, and the need of the Secretariat to be able to adapt to diverse and evolving tasks, with consequential personnel requirements. These considerations are, of course, relevant not only in respect of staff who are on secondment, but also of others who are on fixed-term appointments.

16. In the present report, the Secretary-General has sought to identify the basic hypotheses according to which he would propose to devise policies designed to maximize the efficiency and effectiveness of the Organization, while bearing carefully in mind the legitimate interests of Member States. He invites the General Assembly to consider and approve the approach indicated in the present report.

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PROGRAMME BUDGET FOR THE BIENNIUM 1990-1991

ELECTORAL ASSISTANCE TO HAITI

Programme budget implications of draft resolution A/45/L.2

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

A. Requests contained in the draft resolution

1. Under the terms of draft resolution A/45/L.2, the General Assembly,

"Taking note of the letters dated 23 June 1/ and 9 August 1990 2/ from the President of the Provisional Government of the Republic of Haiti to the Secretary-General, in which the President requested assistance from the United Nations in order to achieve the peaceful and efficient development of the coming electoral process,

"...

"[Would request] the Secretary-General, in co-operation with regional organizations and Member States, to provide the broadest possible support to the Government of Haiti in meeting, to the extent possible, the following requests:

"(a) A nucleus of some 50 observers that would arrive in Haiti prior to voter registration and would leave only after the elections;

"(b) Reinforcement of the nucleus at the time of elections and voter registration, bringing the total to a few hundred observers;

"(c) Assistance to the Co-ordinating Committee for the security of the elections, to be provided by two or three advisers;

"(d) Observation of the implementation of the electoral security plans by specialized staff, that is, by observers, the number of whom remains to be determined, with solid experience in the public order field".

B. Activities by which the proposed requests would be implemented

2. Should the General Assembly adopt draft resolution A/45/L.2, the Secretary-General would establish an observer mission to be known as the "United Nations Observer Group for the Verification of Elections in Haiti" (ONUVEH) for the purpose of verifying the elections in Haiti, scheduled for 16 December 1990. The group would operate from early October 1990 until January 1991. The two main phases of the mission would be: (a) from voter registration beginning on 5 October 1990; and (b) the actual election, currently scheduled for 16 December 1990, followed by a run-off election currently scheduled for 13 January 1991.

3. The proposed staffing table for the mission comprises (a) 87 staff members, who would fill the substantive and administrative posts of the Group (including 10 Field Service radio technicians who would be in the area for three to four weeks to establish the required communications network); and (b) personnel with experience in the public order field. A first group of 65 security experts would arrive in Haiti during October 1990. A second group of 85 would be held on stand-by in their home countries to be called forward as necessary during the actual election period. This second group would be expected to remain in Haiti for 45 days. A breakdown of the proposed staffing table is shown in annex I to the present document.

4. During the two election periods, the mission personnel would be augmented by 80 election monitors. Forty of the monitors would be staff members and 40 would be provided by Governments at no cost to the Organization, other than travel to and from the mission and subsistence allowance while in the area. The 80 election monitors would serve with the mission for a maximum of 10 days during the elections and run-off elections. The 80 monitors would be supplemented by up to 100 staff members from United Nations agencies in Haiti and the region, who would primarily be on loan to ONUVEH for weekends, totalling about 8 days each. Provision would also be made for the engagement of consultants to provide specialized advice on electoral procedures.

5. With regard to communications equipment, it should be noted that the bulk of the equipment would not be purchased outright. It would instead be provided from surplus equipment from the United Nations Transition Assistance Group (UNTAG) and would be returned to the stockpile at the Supply Depot at Pisa, Italy, on completion of the mission. Other equipment budgeted for in the present estimates, primarily 50 vehicles and electronic data processing equipment, would be shipped to other missions at the close of ONUVEH and its residual value credited to the regular budget.

6. It is estimated that an amount of $200,000 would be required for an information campaign in Haiti, to clarify the role of the Organization during the elections. These funds would be utilized for the production of posters and leaflets in French, to be distributed throughout the country.

C. Additional requirements for 1990

7. Should the General Assembly adopt draft resolution A/45/L.2, it is estimated that requirements for the mission in 1990-1991, primarily in 1990, would amount to $9,368,300, of which $5,681,500 relates to personnel costs such as salaries, fees, travel and related allowances, including a contingency provision for death and disability claims for any international observers not covered by the provisions of appendix D of the Staff Rules. The balance, $3,686,800, relates to operational costs such as rental and purchase of vehicles, equipment and premises. These estimated requirements are summarized below:

	$
General temporary assistance (local staff)	198 000
Consultants	363 100
Salaries	1 128 400
Common staff costs	509 900
Travel and subsistence of staff	1 398 500
Travel and subsistence of security experts	1 483 600
Rental and maintenance of premises	67 100
Rental and maintenance of equipment	1 449 500
Communications	103 000
Compensation provision for death and disability claims	600 000
Public information activities	200 000
Miscellaneous supplies and services	271 500
Freight and related costs	255 000
Acquisition of vehicles	960 000
Communications equipment	66 000
Other equipment	314 700
Net total	9 368 300

A detailed breakdown of the above estimated requirements is contained in annex II to the present document.

D. Potential for absorption

8. It is not anticipated that the additional requirements outlined above could be absorbed from within the resources appropriated under section 2A of the programme budget for the biennium 1990-1991.

E. Indication of additional requirements

9. Accordingly, should the General Assembly adopt the draft resolution, it is estimated that an additional non-recurrent appropriation of $9,368,300 would be required under section 2A of the programme budget for the biennium 1990-1991.

10. Furthermore, an additional appropriation of $353,300 would be required under section 31 (Staff assessment), offset by the same amount under income section 1 (Income from staff assessment).

F. Contingency fund

11. In annex I to General Assembly resolution 41/213 of 19 December 1986, which sets out the new budget process, paragraph 11 provides, inter alia, that "the revised estimates arising from the impact of extraordinary expenses, including those relating to the maintenance of peace and security, as well as fluctuations in rates of exchange and inflation, shall not be covered by the contingency fund and shall continue to be treated in accordance with established procedures and under the relevant provisions of the Financial Regulations and Rules".

12. Although the role of the United Nations in observing, supervising and organizing elections and referendums has generally been in the context of the decolonization process or in Non-Self-Governing Territories, the Organization has, on an exceptional basis, participated in observing elections in independent countries when those elections had an international dimension. After years of political and institutional instability, it is to be feared that Haiti could be in danger of falling deeper into a crisis which has already produced a massive flow of Haitians to countries in the region with a resulting strain on them. Elections conducted with an international presence could accordingly help towards the solution of this crisis. It may be noted that the Secretary-General has received numerous expressions of support for this proposed assistance to Haiti. The President of the Security Council on behalf of its members has written to the Secretary-General in reply to his earlier letter on this question. In this letter the President expressed the hope of the Council members that the General Assembly will take urgent action so that the United Nations assistance can be extended within the time-frame required by Haiti to hold its elections. It is the view of the Secretary-General that the activities outlined in section B above should be dealt with under the provisions of paragraph 11 of annex I to General Assembly resolution 41/213 and should thus be treated outside the procedures related to the contingency fund.

Notes

1/ A/44/965, annex.

2/ A/44/973, annex II.

Annex I

PROPOSED STAFFING TABLE FOR THE UNITED NATIONS OBSERVER GROUP FOR THE VERIFICATION OF ELECTIONS IN HAITI

	Professional and above	General Service	Field Service	Local
1. Headquarters				
Special Representative to the Secretary-General (ASG level)	1	-	-	-
Chief administrative officer	1	-	-	-
Secretaries	-	3	-	-
Chief electoral officer (D-2 level)	1	-	-	-
2. Electoral				
Political and electoral analyst	3	-	-	-
Public information officer	1	-	-	-
Training co-ordinator	1	-	-	-
Secretaries	-	2	-	4
Interpreters/Translators	1	-	-	2
Research assistants	-	-	-	3
Training co-ordinator assistants	-	-	-	2
3. Administrative and supply support				
Personnel	1	1	-	2
Finance	1	2	-	3
Transport	-	-	1	-
Mechanics	-	-	-	5
Secretaries	-	-	-	2
Drivers	-	-	-	10
Chief communications officer	-	-	1	-
Radio operators	-	-	3	-
Radio technicians a/	-	-	3	2
Generator mechanics/Electricians	-	-	2	-
Stores keepers	-	-	-	1
Security guards	-	-	-	8
General Services b/	-	-	3	-
Field service assistants	-	-	5	-

	Security experts	Professional and above	General Service	Field Service	Local
Assistants to Field Service officers		-	-	-	5
Secretaries		-	-	-	4
Cleaners (including regions)		-	-	-	12
Handymen/Messengers (including regions)		-	-	-	12
4. Regional offices					
Regional co-ordinators		9	-	-	-
Observers		30	-	-	-
Secretaries		-	-	-	9
Drivers		-	-	-	15
5. Security experts					
Chief observer	1	-	-	-	-
Senior advisers	2	-	-	-	-
Chief operations officer	1	-	-	-	-
Senior liaison officer	1	-	-	-	-
Information officer	1	-	-	-	-
Personnel officer	1	-	-	-	-
Secretaries		-	1	-	2
Liaison officer	1	-	-	-	-
Duty officer (on stand-by)	3	-	-	-	-
6. Observer detachments					
Observer teams	48	-	-	-	-
Sector head	9	-	-	-	-
Observer teams (on stand-by)	82	-	-	-	-
Secretaries		-	-	-	9
Total	150	50	9	18	112

a/ Ten additional Field Service radio technicians would be required for three to four weeks.

b/ Includes Supply, Property Control, Receipts and Inspection, Movement Control and Security.

Annex II

PROVISIONAL ESTIMATES FOR THE UNITED NATIONS OBSERVER GROUP FOR THE VERIFICATION OF ELECTIONS IN HAITI

		$	$
A.	PERSONNEL COSTS		
	1. Security experts		
	150 security experts to be provided by Member States. (This costing is based on the assumption that 85 such experts will be in the mission area for only 45 days):		
	(a) Travel cost	619 000	
	(b) Subsistence allowance	864 600	1 483 600
	2. United Nations staff members		
	127 international staff members: 50 in the Professional category and above; 18 Field Service officers; 10 Field Service radio technicians; 9 General Service staff; 40 additional Professional staff to act as election monitors for two periods totalling a maximum of 10 days. Provision is only made for travel and subsistence in respect of these latter staff. (Other than the Special Representative and the chief electoral officer, the salary costs of Professional and above posts have been costed at an average P-4 level, since it is not possible at the current stage to determine the levels of the staff that would be assigned to the mission from various duty stations):		
	(a) Salaries and common staff costs		1 638 300
	(b) Subsistence allowance		718 500
	(c) Travel of staff		612 800
	3. Local staff		
	112 local-level staff would be employed as general temporary assistance:		
	General temporary assistance		198 000

		$	$
4.	Agency staff		
	100 staff members would be on loan from United Nations agencies in the area:		
	Subsistence allowance		67 200
5.	Consultants		
	(a) Government-provided election monitors		
	40 monitors:		
	(i) Travel	208 000	
	(ii) Subsistence allowance	26 900	
	(b) Other consultants	128 200	363 100
	(Allowance is made for the engagement of international consultants (10 work/months) and local consultants (20 work/months) with expertise in electoral procedures)		
6.	Compensation provision for death and disability claims (a contingency provision to meet potential compensation claims arising in respect of any international observer not covered by appendix D of the Staff Rules)		600 000
	Total A, personnel costs		5 681 500
B.	OPERATIONAL COSTS		
1.	Vehicles operations (see annex III for breakdown):		
	(a) Purchase of 50 vehicles		960 000
	(b) Rental of vehicles		354 200
	(c) Maintenance of vehicles		66 300
2.	Air operations		
	Rental of two helicopters and a fixed-wing aircraft		1 029 000

		$
3.	Rental and maintenace of premises	67 100
4.	Purchase of equipment (excluding communications equipment)	
	(a) Data processing equipment (24 laptop computers; 6 desktop computers; 4 printers and 2 laser jet printers; software and related supplies)	126 800
	(b) Office equipment (24 typewriters; 12 fax machines; 12 photocopiers; 11 video camcorders; 23 short-wave radios; 2 paper shredders; 3 overhead projectors)	79 700
	(c) Generators (1 generator set plus 8 units)	19 200
	(d) Office furniture	60 000
	(e) Miscellaneous equipment, including air conditioners; binoculars; refrigerators, etc.	29 000
5.	Miscellaneous services and supplies	
	Stationery and office supplies; medical supplies and services; maps, etc.	126 500
6.	Freight and transportation	255 000
7.	Communications equipment and supplies	
	(a) Equipment and external communications with Headquarters, New York (ex-UNTAG holdings):	
	2 International Maritime Satellite Organization (INMARSAT) satellite communication terminals	
	2 Cryptofax machines	-
	(b) Equipment for district centres and local area communications (ex-UNTAG)	-
	(c) Communications supplies and services (spare parts, repairs etc.)	65 000

		$
	(d) Communications equipment to be purchased (including computerized programming systems for radio frequencies, 10 high frequency base antennas, 12 grounding systems for unattended repeater sites)	66 000
8.	Maintenance of communications equipment	80 000
9.	Commercial communications	
	Telephone rental and call charges, pouch services, telex charges, postage, hiring of switchboards etc.	103 000
10.	Public information activities	200 000
	Total B, operational costs	3 686 800

Summary of estimates

A.	Personnel costs	5 681 500
B.	Operational costs	3 686 800
		9 368 300

Annex III

PROPOSED VEHICLES ESTABLISHMENT FOR THE UNITED NATIONS OBSERVER GROUP FOR THE VERIFICATION OF ELECTIONS IN HAITI

	Cars, medium	Cars, light	4 x 4	Minibus	Van	Pick-up
1. Headquarters						
Special Representative to the Secretary-General (ASG level)	1	-	1	-	-	-
Chief administrative officer	1	-	-	-	-	-
Secretaries	-	-	-	-	-	-
Chief electoral officer (D-2 level)	1	-	-	-	-	-
2. Electoral						
Political and electoral analyst	-	2	-	-	-	-
Public information officer	-	1	-	-	-	-
Training co-ordinator	-	-	1	-	-	-
Secretaries	-	-	-	-	-	-
Interpreters/Translators	-	-	-	-	-	-
Research assistants	-	-	-	-	-	-
Training co-ordinator assistants	-	-	-	-	-	-
3. Administrative and supply support						
Personnel	-	1	-	-	-	-
Finance	-	1	-	-	-	-
Transport	-	1	4	2	1	2
Mechanics	-	-	2	-	-	-
Secretaries	-	-	-	-	-	-
Drivers	-	-	-	-	-	-
Chief communications officer	-	-	1	-	-	-
Radio operators	-	1	-	-	-	-
Radio technicians	-	-	3	-	-	-
Generator mechanics/Electricians	-	-	2	-	-	-
Stores keepers	-	-	-	-	-	-
Security guards	-	-	-	-	-	-
General services	-	1	1	-	1	-
Field Service assistants	-	-	-	-	-	-
Assistants to Field Service officers	-	-	5	-	-	-
Secretaries	-	-	-	-	-	-
Cleaners (including regions)	-	-	-	-	-	-
Handymen/Messengers (including regions)	-	-	-	-	-	-

/...

	Cars, medium	Cars, light	4 x 4	Minibus	Van	Pick-up
4. Regional offices						
Regional co-ordinators	-	-	9	-	-	-
Observers	-	-	15	-	-	-
Secretaries	-	-	-	-	-	-
Drivers	-	-	-	-	-	-
5. Security experts						
Chief observer	1	-	-	-	-	-
Senior advisers	-	-	1	-	-	-
Chief operations officer	-	-	1	-	-	-
Senior liaison officer	-	-	1	-	-	-
Information officer	-	-	-	-	-	-
Personnel officer	-	-	-	-	-	-
Secretaries	-	-	-	-	-	-
6. Observer detachments						
Observer teams	-	-	41	-	-	-
Sector head	-	-	9	-	-	-
Observer teams (on stand-by)	-	-	24	-	-	-
Secretaries	-	-	-	-	-	-
Total	4	8	121	2	2	2

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/C.5/45/14
31 October 1990

ORIGINAL: ENGLISH

Forty-fifth session
FIFTH COMMITTEE
Agenda item 17 (d)

APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY ORGANS: CONFIRMATION OF THE APPOINTMENT OF MEMBERS OF THE INVESTMENTS COMMITTEE

Note by the Secretary-General

1. As indicated in document A/45/104 of 22 February 1990, it will be necessary for the General Assembly, during its current session, to confirm the appointment by the Secretary-General of three persons to fill vacancies in the Investments Committee resulting from the expiration, on 31 December 1990, of the terms of office of Mr. Jean Guyot (France), Mr. George Johnston (United States of America) and Mr. Michiya Matsukawa (Japan).

2. In accordance with the provisions of article 20 of the Regulations of the United Nations Joint Staff Pension Fund (UNJSPF), the Secretary-General, after consultation with the United Nations Joint Staff Pension Board (UNJSPB) and the Advisory Committee on Administrative and Budgetary Questions (ACABQ), submits for confirmation by the General Assembly the reappointment of Mr. Guyot, Mr. Johnston and Mr. Matsukawa as members of the Investments Committee for three-year terms of office beginning on 1 January 1991.

3. Mr. Guyot has served on the Committee since 1972, Mr. Johnston since 1980 and Mr. Matsukawa since 1982. The Secretary-General very much appreciates their willingness to continue to carry on this important international public service.

4. In accordance with past practice, the Secretary-General also proposes to appoint as ad hoc members Mr. Ahmed Abdullatif (Saudi Arabia) and Mr. Peter Stormonth Darling (United Kingdom of Great Britain and Northern Ireland) to serve with the Committee in 1991.

5. The curricula vitae of the appointees for confirmation follow.

Jean GUYOT

Date of birth:	6 September 1921
Education:	Lycée Champollion Law Faculty of Grenoble
Partner:	Lazard Frères et Cie
General Partner and Member of the Executive Committee:	Lazard Partners
Director:	Lazard S.A. Chargeurs Réunis Eurafrance IVECO Peugeot S.A. Citroën Censor of the Société d'Investissements Immobiliers de Construction (SIMCO)
Previous affiliations:	Inspector of Finance (1945-1947) Chargé de Mission - Office of the Finance Minister (1947), Office of the Prime Minister (1947), then Office of the Minister of Foreign Affairs Vice-Director in the Finance Ministry (1949) Director of the Financial Division of the High Authority of the European Coal and Steel Community (1953-1955).

George S. JOHNSTON

Date of birth:	30 November 1924
Education:	Yale University New York University
President and Chief Executive Officer:	Scudder Stevens and Clark
Directorships:	Bessemer Securities Corporation New York Stock Exchange (Public Director) Fiduciary Company Incorporated (Boston, Mass.) Zurich Insurance Company (Member, United States Advisory Board) Zurich Holding Company of America, Inc. Zurich Reinsurance Company of New York American Guarantee and Liability Insurance Company The Korea Fund, Inc. (Chairman) The Japan Fund, Inc. Asia Management Corporation (Vice President) AARP GNMA and United States Treasury Fund (Chairman of the Board, Trustee) AARP General Bond Fund (Chairman of the Board, Trustee) AARP Insured Tax-Free Short-term Fund (Chairman of the Board, Trustee) AARP Insured Tax-Free General Bond Fund (Chairman of the Board, Trustee) AARP Growth and Income Fund (Chairman of the Board, Trustee) AARP Capital Growth Fund (Chairman of the Board, Trustee) AARP Money Fund (Chairman of the Board, Trustee) Scudder International Fund, Inc. (Chairman of the Board) Scudder New Asia Fund (Chairman of the Board) Scudder Capital Growth Fund, Inc. (President) Scudder Global Fund, Inc. (President) Scudder United States Government Zero Coupon Target Fund (President, Trustee) Scudder Target Fund (President, Trustee) Scudder Income Fund (Vice President, Trustee) Scudder Growth and Income Fund (Vice President, Trustee) Scudder Tax Free Money Fund (Vice President, Trustee) Scudder Development Fund, Inc. Scudder Tax Free Target Fund (Trustee) Scudder California Tax Free Fund (Trustee) Scudder New York Tax Free Fund (Trustee) Scudder Cash Investment Trust (Trustee) Scudder Realty Advisors, Inc.

In addition, Mr. Johnston is on the board of various corporations which are operating subsidiaries of Scudder, Stevens and Clark.

Member: Pilgrims of the United States
American Society of the Order of St. John
American Council on Germany

Michiya MATSUKAWA

Date of birth:	22 December 1924
Education:	Faculty of Law, Imperial University of Tokyo
Senior Adviser to the President:	Nikko Securities Company Ltd.
Chairman:	Nikko International Capital Management Company Ltd., The Nikko Research Centre
Member:	Consultative Group International Economic and Money Affairs, Inc.
Previous affiliations:	Chief, District Tax Office at Kakogawa (1952-53) Deputy Budget Examiner, Budget Bureau (1953-1958) Private Secretary to the Minister for Finance (1958-1960) Consul, Consulate-General of Japan in New York (1960-1961) Deputy Financial Commissioner (1961-1962) Budget Examiner, Budget Bureau (1962-1964) Director, International Organizations Division, International Finance Bureau (1964-1965) First Secretary, Embassy of Japan at Washington (1965-1967) Counsellor, Embassy of Japan at Washington (1967-1968) Deputy Director-General, International Finance Bureau (1968-1970) Superintendent of the Tokyo Stock Exchange, and Deputy Director-General, Securities Bureau (1970-1971) Deputy Director-General, Banking Bureau (1971-1972) Deputy Director-General, International Finance Bureau (1972-1973) Director-General, International Finance Bureau (1973-1974) Deputy Vice-Minister of Finance (1974-1975) Director-General, Financial Bureau (1975-1976) Vice-Minister of Finance for International Affairs (1976-1978) Special Adviser to the Minister of Finance (1978-1980)

UNITED NATIONS

GENERAL ASSEMBLY

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19 October 1990

ORIGINAL: ARABIC/CHINESE/ENGLISH/FRENCH/RUSSIAN/SPANISH

أعضاء اللجنة الخامسة
第五委员会成员
MEMBERSHIP OF THE FIFTH COMMITTEE
MEMBRES DE LA CINQUIÈME COMMISSION
ЧЛЕНЫ ПЯТОГО КОМИТЕТА
MIEMBROS DE LA QUINTA COMISION

ملحوظة : يرجى من الوفود التي تريد إدخال أية تصحيحات على القائمة التالية أن ترسلها ، كتابة ، إلى أمين اللجنة ، الغرفة رقم S-2700F ، مبنى الأمانة العامة .

注意：请各代表团把对以下名单的更正用书面送交秘书处大楼第 S-2700F，室的委员会秘书。

NOTE: Delegations are requested to send their corrections to the following list in writing to the Secretary of the Committee, room S-2700F, Secretariat Building.

NOTE: Les délégations sont priées d'envoyer leurs corrections à la présente liste, par écrit, au Secrétaire de la Commission, bureau S-2700F, Bâtiment du Secrétariat.

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NOTA: Se ruega a las delegaciones se sirvan enviar sus correcciones a la siguiente lista, por escrito, al Secretario de la Comisión, oficina S-2700F, Edificio de la Secretaría.

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Lao People's Democratic Republic	M. Hongkham Souvannavong		
Lebanon	M. Kh. Makkawi M. Michel Katra	M. Jad El-Hassan	
Lesotho	Mr. M.P. Phoofolo	Mr. K.P. Mosala	Mr. M.F. Nchapi
Liberia	Ms. Youngor Telewoda		
Libyan Arab Jamahiriya	Mr. Jamaleddin Hameda	Mr. Ramadan Ferjani	Mr. Ali Sunni Muntasser
Liechtenstein	Ms. Claudia Fritsche	Mr. R. Marxer Mr. M.V. Ledebur Mr. N. Frick Mr. D. Ospelt	
Luxembourg	M. Marc Baltes	M. Egide Thein	
Madagascar	M. Claude Randriamalala	M. Martin Rakotonaivo Mme Perle Ramboasolo M. Albert Fety	

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Malaysia		Mr. Mohd. Radzi Abdul Rahman	Mr. Wong Yuen Meng
Maldives	Mr. Ahmed Khaleel	Mr. Ali Khaleel	
Mali	M. Mahamane Maiga	M. Mamadou Dianguina Traore	
Malta	Mr. Alexander Borg Olivier	Mr. A. Borg Mr. M. Valentino	
Mauritania	Mr. Mohamedou Ould Mohamed Mahmoud	Mr. Brahim Ould Mohamed Abdallahi	
Mauritius	Mr. Satteeanund Peerthum	Mr. Patrice E. Cure Mr. I. Dhalladoo	
Mexico	Sr. Jorge José Duhalt		Sr. Porfirio Martinez

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Morocco	M. Aziz Hasbi M. Hassan Zahid		
Mozambique	Mr. F. Mandlate Mr. S. Ossemane		
Myanmar	U Ye Myint	U Maung Maung	
Namibia	Mr. Zebulon Kandjoze		
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